1 2 3 4 5 6 7 8 IN THE UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA FRESNO DIVISION 10 11 FRIENDS OF YOSEMITE VALLEY, Case No. CV-F-00-6191 AWI DLB et al. 12 ORDER DENYING PLAINTIFFS' Plaintiffs, MOTION FOR PERMANENT INJUNCTION AND OTHER RELIEF 13 14 DIRK KEMPTHORNE, in his official [PROPOSED] capacity as Secretary of the Interior, et al., 15 Defendants. 16 This matter is before the Court on the motion for a permanent injunction and other relief 17 filed by the plaintiffs, Friends of Yosemite Valley, et al. Doc. 312. The plaintiffs' motion 18 requests four discrete forms of injunctive relief. The plaintiffs' move the Court to: 19 (1) set aside the 2005 Revised Comprehensive Management Plan (CMP) for the Merced 20 Wild and Scenic River and order the defendants to prepare a "legally valid" CMP under the Wild 21 and Scenic Rivers Act within a specific time frame; 22 (2) order the defendants to comply with the National Environmental Policy Act by 23 preparing an environmental impact statement for the new CMP; 24 (3) enjoin any ground-disturbing activities or projects which rely upon the 2005 CMP or 25 ORDER DENYING PLAINTIFFS' MOTION FOR 26 PERMANENT INJUNCTION AND OTHER RELIEF CASE NO. CV-F-00-6191-AWI/DLB 1 [PROPOSED]

the earlier 2000 CMP and which could impact or alter the Merced Wild and Scenic River's "outstandingly remarkable values" or free-flowing nature until such time as a legally valid CMP is adopted and approved by this Court; and

(4) order the defendants to amend the 1980 General Management Plan for Yosemite National Park following adoption of a legally valid CMP.

The defendants have opposed the plaintiffs' motion, and the matter has been fully briefed and considered by the Court following a hearing on the matter.

The Court, having reviewed the plaintiffs' motion for permanent injunction and other relief, the legal memoranda, declarations, and exhibits filed by all parties, and the complete record before the Court in this matter, now finds that good cause exists to DENY the plaintiffs' motion for permanent injunction and other relief. Accordingly,

IT IS HEREBY ORDERED THAT the plaintiffs' motion for permanent injunction and other relief is DENIED.

IT IS FURTHER ORDERED THAT, based on the rulings contained in the Court's Memorandum Opinion and Order Re: Cross Motions for Summary Judgment entered on July 19, 2006 (Doc. 307), the Clerk of the Court is hereby directed to enter JUDGMENT on the five causes of action in the plaintiffs' First Supplemental Complaint in accordance with the Court's rulings set forth in Paragraphs (3) through (10) of that Order.

SO ORDERED this ____ day of ______, 2006.

HONORABLE ANTHONY W. ISHII UNITED STATES DISTRICT JUDGE